



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR RELATIONS
19 STANIFORD STREET, 1ST FLOOR
BOSTON, MASSACHUSETTS 02114
Telephone: (617) 626-7158
FAX: (617) 626-5467
www.mass.gov/jlmc

CHARLES D. BAKER
GOVERNOR
KARYN E. POLITO
LIEUTENANT GOVERNOR

JOINT LABOR-MANAGEMENT
COMMITTEE FOR
MUNICIPAL POLICE AND FIRE
JOHN W. HANSON
CHAIR

MEETING MINUTES
FOR MARCH 20, 2017

Pursuant to M.G.L. c. 30A § 20(c), and the Open Meeting Law Regulations, 940 CMR 29.03 (6), a 3-Member Panel ("Panel") of the Joint Labor-Management Committee for Municipal Police and Fire ("JLMC") convened pursuant to Section 1, subsection 3(a), of Chapter 589 of the Acts of 1987, in the matter of Seekonk Firefighters, IAFF Local 1931, and the Town of Seekonk, JLMC No. 16-5505, on:

DATE: March 20, 2017

TIME: 10:00 A.M.

LOCATION: Offices of the Joint Labor-Management Committee,
19 Staniford St., 1st Floor, Boston, MA 02114-2502

PANEL MEMBERS PRESENT: Chairman John Hanson; JLMC Member for Management, Ted Alexiades; JLMC Member for Labor, Matthew Reddy

STAFF PRESENT: Senior Staff Reps. Joseph Hubley (Labor) and George Driscoll (Management)

ATTORNEYS: Joseph Fair (Attorney for Town of Rehoboth), Leah Barrault (Attorney for Seekonk Firefighters, IAFF 193).

OTHERS PRESENT: Shawn Cadime, Seekonk Town Administrator; Michael Healey, Seekonk Fire Chief; Mark Macchi, Aaron Grillo, Shaun Whalen, all of Local 1931.

OPEN SESSION:

Chairman John Hanson called the meeting to order at 12:00 P.M. for the purpose of holding a hearing pursuant to Section 1, subsection 3(a), of Chapter 589 of the Acts of 1987 with the understanding that the Parties would participate in a mediation facilitated by the Panel Members, Staff and the Mediator prior to the opening of such hearing in relation to the following matters:

- Seekonk Firefighters, IAFF Local 1931, and the Town of Seekonk, JLMC No. 16-5505

The Seekonk Firefighters and the Town of Seekonk had previously submitted their statements of Issues for purposes of the 3(a) hearing and for arbitration which are attached hereto as Attachment A and Attachment B, respectively and are part of the record of this meeting and the 3(a) hearing.

Panel Member, Matthew Reddy, made a Motion to go into Executive Session pursuant to G. L. c. 30A, s. 21(a)(9), **to meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:**

(i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and

(ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.

The Motion was seconded by Panel Member, Ted Alexiades. By a Roll Call Vote, the Motion passed unanimously: Chairman Hanson: Aye ; Panel Member Alexiades: Aye ; Panel Member Reddy: Aye .

The Chairman announced that the Panel would reconvene in Open Session. Thereupon, the Panel entered Executive Session.

EXECUTIVE SESSION:

The Town and the Union caucused separately with Staff Representatives, Panel Members and the Mediator to discuss the positions of the Parties with respect to issues raised by the Parties and to develop proposals for the resolution of the dispute between the Parties. Panel Members, Staff Representatives, and the Mediator also met separately to discuss issues raised by the Parties and to discuss and facilitate the exchange and consideration of proposals. After several exchanges of proposals and requests for clarification, the Parties were unable to reach agreement.

OPEN SESSION:

At approximately 2:50 P.M, the Panel reconvened in Open Session and Chairman Hanson called the meeting to order. Chairman Hanson called upon the Petitioner, Seekonk Firefighters, to present the Union's Issues.

The Seekonk Firefighters, represented by Ms. Barrault, presented the Union's Issues substantially as set forth in Attachment A and requested issue by issue arbitration by a tripartite panel. Ms. Barrault also noted her objection to the Town's inclusion of a 56-hour work week as an issue essentially because it was untimely under the ground rules.

The Town of Seekonk, represented by Mr. Fair, presented the Town's Issues substantially as set forth in Attachment B. The Town requested issue by issue arbitration by a single, neutral arbitrator. Addressing Ms. Barrault's objection to a 56-hour work week, Mr. Fair noted that the ground rules allow counter-proposals by the Town.

Mr. Fair argued that the Union's Issue #3 (see Attachment A) is really two issues rolled into one. Mr. Fair also argued that the Unions's Issue #6 presented three issues.

Mr. Fair also argued that the Union's Issue #4 (see Attachment A) was non-bargainable. Ms. Barrault responded by arguing that the subject of uniforms could be submitted to arbitration.

Ms. Barrault and Mr. Fair then exchanged arguments on the issue of whether or not a single arbitrator should decide the case and as to whether the arbitrator should be able to address the Town's issue of a 56-hour work week.

Chairman Hanson questioned Ms. Barrault about the Town's argument that Issues #3 and #6 presented nested issues. Ms. Barrault responded that, if the panel found multiple issues, they would drop one.

At 3:30 P.M.. Chairman Hanson called for a recess.

The Panel reconvened at 3:45 P.M..

Chairman Hanson spoke for the Panel and stated that the Panel had determined the following:

- Arbitration for this case would be by a tripartite panel.
- The Union's Issue #4 concerning uniforms is a proper subject for arbitration.
- The Union's Issue #3 concerning Paramedic Stipend presented two nested issues. The Union must choose.
- The Union's Issue #6 concerning Detail Pay presented three nested issues. The Union must choose one.
- With respect to the Union's objection to the Town's proposed 56-hour work schedule as an Issue for arbitration, the Panel will certify a common issue for arbitration called the 24-hour work schedule wherein the Town and the Union can each present their own version of the 24-hour work schedule.

Ms. Barrault stated the Union's objection to being a party to a joint issue on the work schedule.

The Panel recessed at approximately 3:46 and reconvened at 3:50

Chairman Hanson instructed the Union to narrow its issues and submit them by Thursday, March 23, 2017.

There being no further business, the Chair adjourned the meeting at 3:50 PM.